

FEDERAL ENERGY REGULATORY COMMISSION

NEPA Scoping
Oroville Project

Office of Energy Projects

Introduction to FERC

Who are we?

- ▶ **Interstate Regulatory Authority**
 - ▶ Electric Power
 - ▶ Natural Gas
 - ▶ Oil Pipeline
 - ▶ Hydroelectric Industry
- ▶ **Five Commissioners**
 - ▶ Appointed by President
 - ▶ Office of Energy Projects

Office of Energy Projects

- ▶ **Administers non-Federal hydropower program**
 - ▶ Issue and re-issue licenses to operate hydropower projects for 30-50 years
- ▶ **Locations**
 - ▶ Washington, DC
 - ▶ Five Regional Offices
- ▶ **Organizations**
 - ▶ Environmental & Engineering Review
 - ▶ Hydropower Compliance & Administration
 - ▶ Dam Safety and Inspections
 - ▶ Pipeline Certificates

Licensing Process

Public Involvement

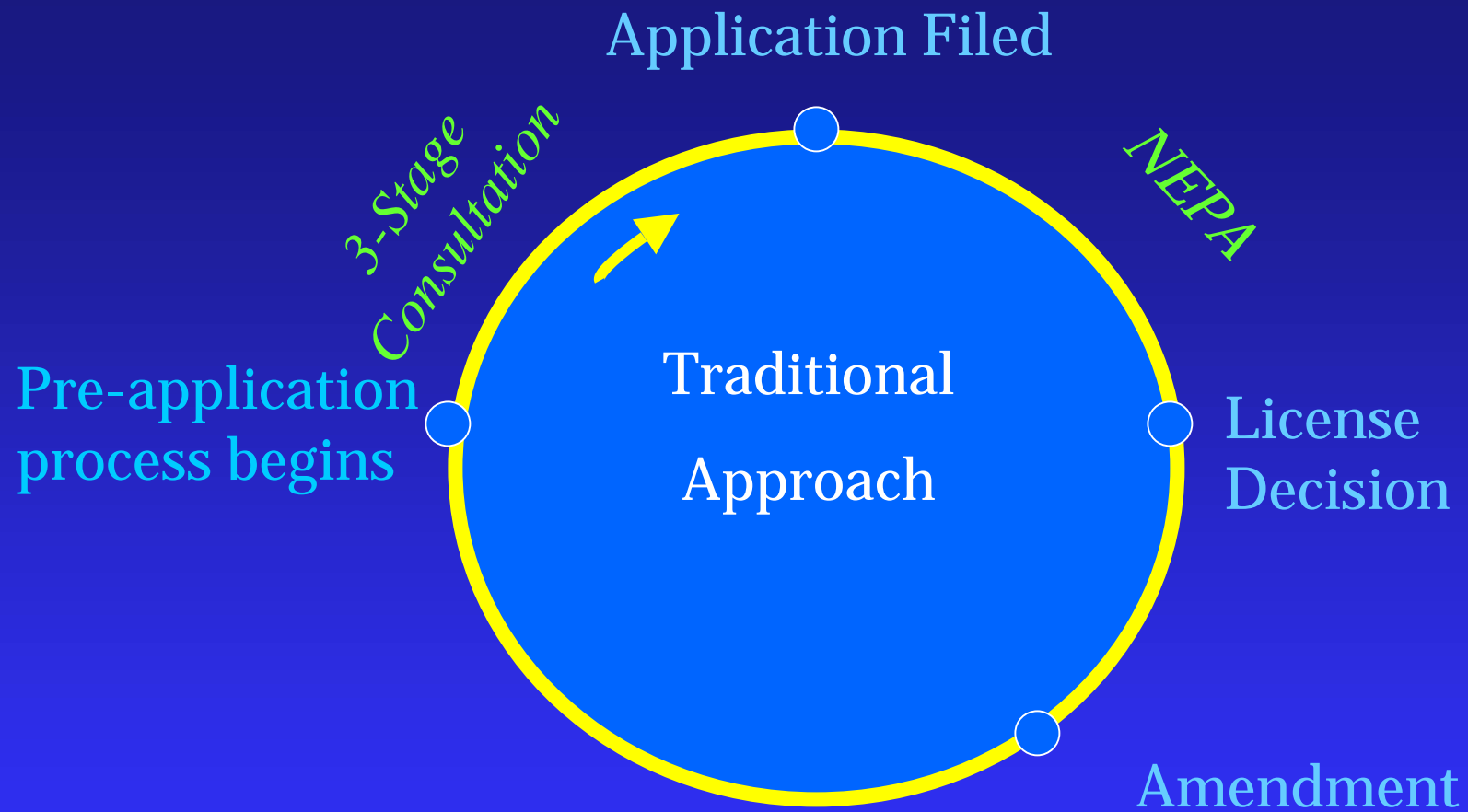
- ▶ **Federal Power Act**
- ▶ **Comprehensive Development Section 10(a) and 4(e)**
 - ▶ FERC determines that a project to be licensed is best adapted to serve the **public interest**
- ▶ **Opportunities for Public involvement**

Federal Statutes

- ▶ **National Environmental Policy Act (NEPA)**
- ▶ **Clean Water Act**
- ▶ **Fish and Wildlife Coordination Act**
- ▶ **Endangered Species Act**
- ▶ **National Historic Preservation Act**
- ▶ **Coastal Zone Management Act**
- ▶ **Wild and Scenic Rivers Act**

Licensing Process Options

- ▶ Traditional Licensing Process
- ▶ Alternative Licensing Process (ALP)



Traditional Process Results

“Class of 93”

- ▶ 157 applications filed in 1991
- ▶ 94% needed additional information
- ▶ 15% completed by expiration date
- ▶ 143 completed to date
- ▶ 80% of completions had rehearings
- ▶ 14 remain because of 401/CZMA issues or settlement negotiations

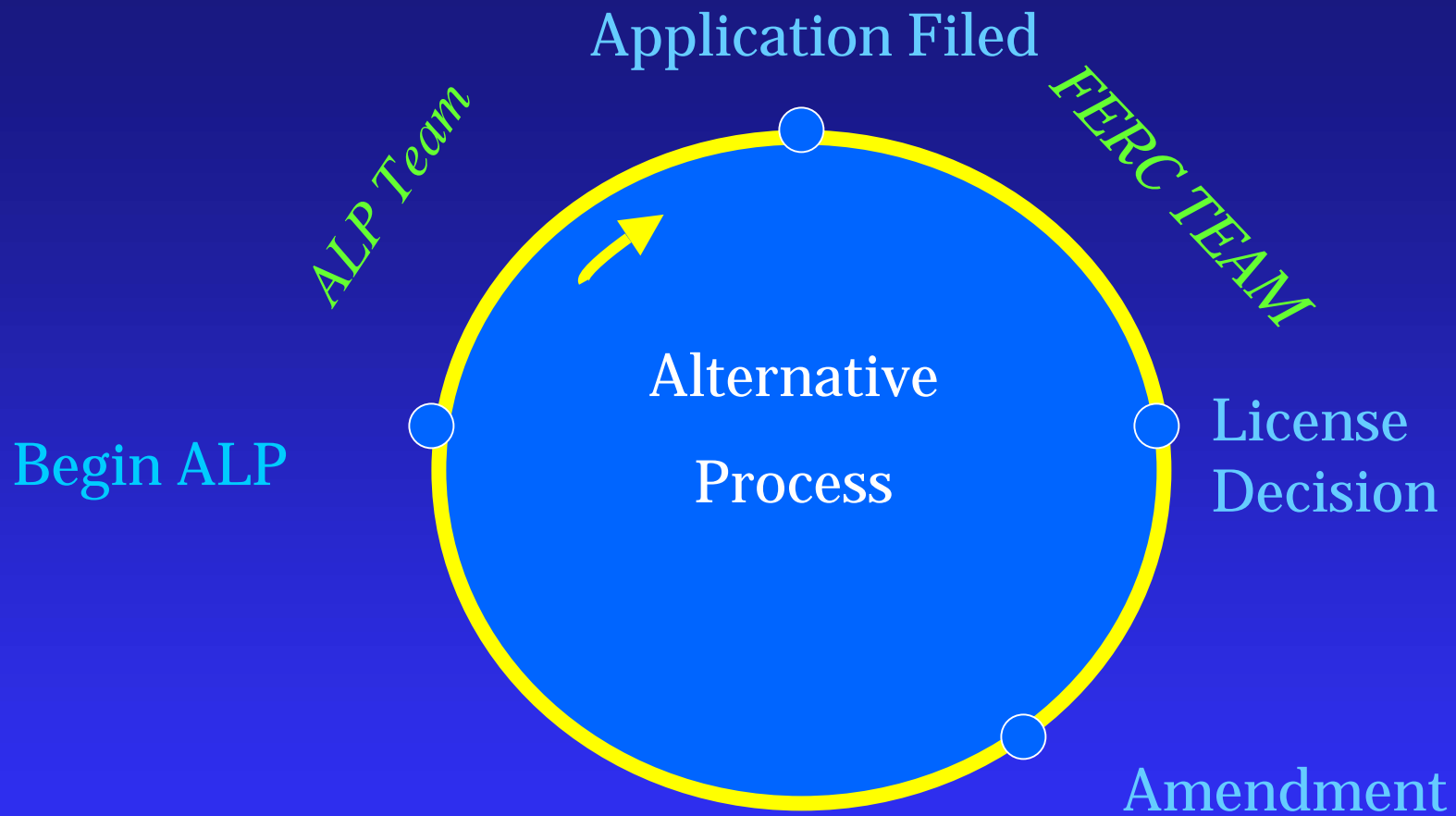
Traditional LP & Alternative LP

- ▶ **Traditional LP**
 - ▶ Too Long
 - ▶ Too contentious
- ▶ **Alternative LP**
 - ▶ Expand participation in the FERC regulatory process
 - ▶ Resolve conflicts and try to accommodate the interests of participants

Alternative Licensing

Goals

- ▶ Frontload NEPA
- ▶ Facilitate an evaluation of all stakeholder interests early in process
- ▶ Expedite the licensing process



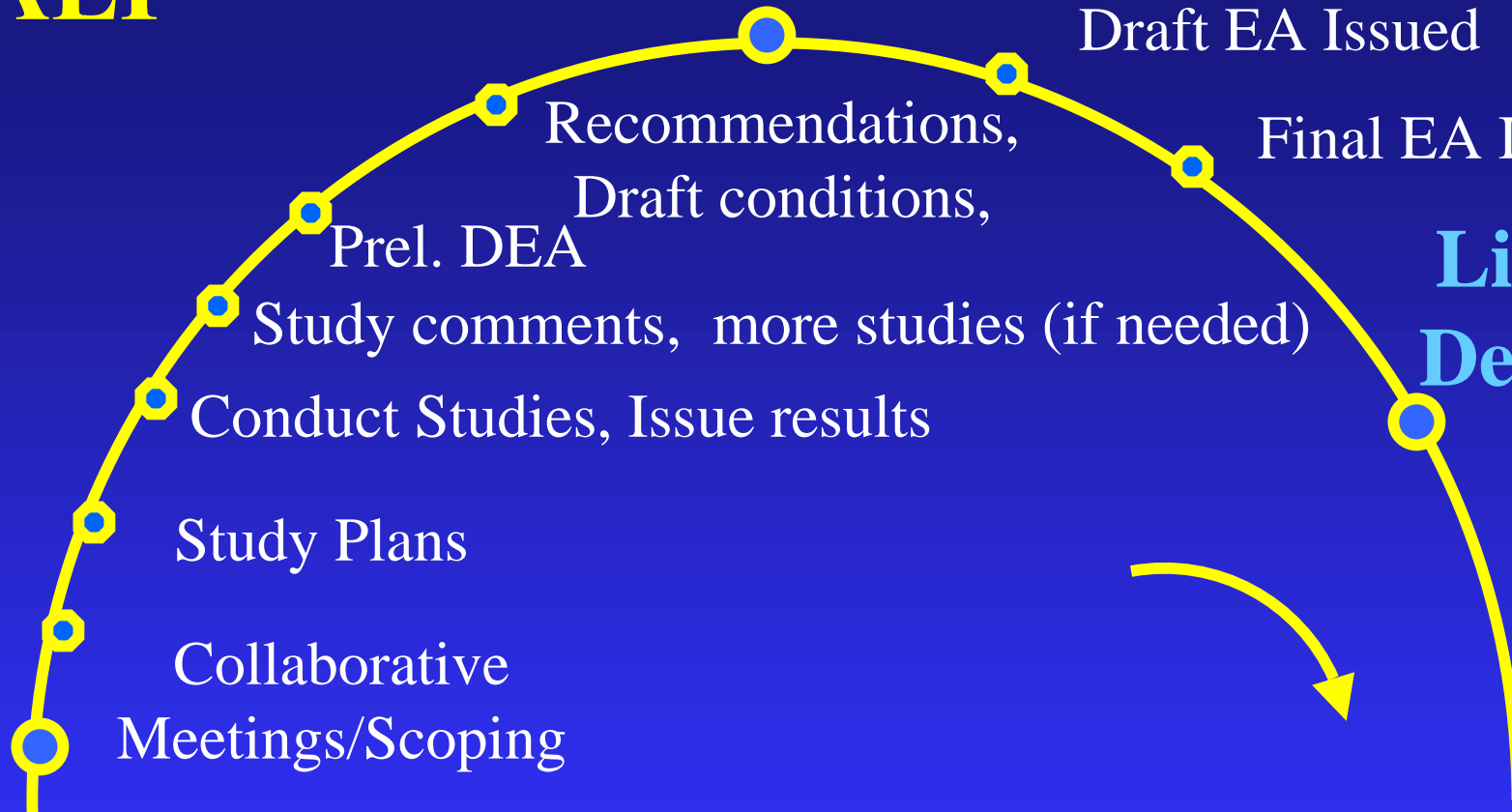
ALP

Application Filed

Draft EA Issued

Final EA Issued

**License
Decision**



ALP begins

Collaborative

Differences between Traditional and ALP

<u>Traditional</u>	<u>Alternative</u>
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- | | |
|---|--|
| <ul style="list-style-type: none">• Regulatory design• Much work post-filing• Letters• Applicant/agency driven• Settlement not likely• Process redundancies• Benefits likely delayed• Limited FERC participation | <ul style="list-style-type: none">• Flexible design• Most work pre-filing• Meetings• Locally driven• Settlement more likely• Process efficiencies• Benefits likely sooner• FERC participation |
|---|--|

ALP Results

- ▶ 21 projects licensed
 - ▶ 7 months to 2 years processing time
 - ▶ 17 months average
- ▶ 10 projects with ALP applications filed
- ▶ 36 projects in prefiling stage of an ALP
- ▶ Less need for additional information
- ▶ Few rehearings

NEPA Scoping Meeting

- ▶ **Identify issues**
 - ▶ **Solicit information**
 - ▶ **Depth of analysis**
 - ▶ **Cumulative impacts**
 - ▶ **Reasonable alternatives**
- ▶ **Your Comments**